

Richard Nadler vs J.D. Hayworth in the Wall Street Journal

I. Immigration Losers

By RICHARD NADLER

Wall Street Journal, October 2, 2007



Many conservatives believe that "enforcement first" of existing immigration law must precede any form of guest-worker or earned-legalization legislation to normalize the status of some 12 million undocumented workers. Iterations of this opinion fill the airwaves of talk radio, the speeches of Republican presidential contenders and the



opinion pages of conservative publications.

The formula alleviates, or at least postpones, the antagonism between those who want to deport illegal workers, and those who want them to stay. The language of comprehensive immigration reform -- a combination of strict border enforcement and a path to legalization -- has been abandoned even by many who hope eventually to revive it.

This rhetorical consensus is unserious. Deportation advocates understand full well that existing civil penalties will not overcome the economic incentives that drive these immigrants and their employers. That is why Republican Rep. Jim Sensenbrenner of Wisconsin, the primary sponsor of the Border Protection, Antiterrorism and Illegal Immigration Control Act of 2005, added criminal penalties to the common frauds perpetrated by illegal workers and those who employ them.

The illegals themselves -- the group most directly affected -- understand "enforcement first" for what it really is: a step toward mass deportation. That is why thousands of undocumented Brazilians exited Riverside, N.J., when the town council sanctioned their landlords and employers.

To these two groups that reject "enforcement first" as a rhetorical euphemism, we may now add a third: Hispanic citizens who vote.

Undocumented Latinos constitute 3.8% of the American work force. But these 5.6 million workers are a mere fraction of the 17.3 million Latino citizens 18 years or older. Of these, 4.4 million are themselves foreign born.

How does "enforcement first" or "enforcement only" play among these voters? Polling has offered rationales for conflicting projections. Some contend that Hispanics' strong support for border security signals a negligible partisan impact; others, citing Latino endorsement of guest-worker and earned-legalization programs, predict electoral disaster for the party that abandons a comprehensive framework.

In my recent study for the Americas Majority Foundation entitled "**Border Wars: The Impact of Immigration on the Latino Vote**," I document not what Hispanics opined, but how they actually voted, given a clear choice between advocates of "enforcement first" and comprehensive immigration reform. The results, based on returns from 145 heavily Hispanic precincts and over 100,000 tabulated votes, indicate this: *Immigration policies that induce mass fear among illegal residents will induce mass anger among the legal residents who share their heritage.*

The congressional election of 2006 provided a unique opportunity to gauge Hispanic voter behavior. In three congressional districts of the Southwest, two of them on the border, Republican candidates ran on an "enforcement-only" platform. In each case, this constituted a departure from previous congressional representation. And in each case, Hispanic support for the Republican candidate collapsed from 2004 levels.

Former Republican Rep. Jim Kolbe of Arizona was an architect of comprehensive immigration reform. His retirement in 2006 precipitated a five-way primary in which Randy Graff prevailed with 42% of

the vote. Mr. Graff, supported by the deportationist Minutemen Civil Defense Corps PAC, lost to Democrat Gabrielle Giffords, 42%-54%. Ms. Giffords aligned herself with the comprehensive reform positions of Sens. Jon Kyl and John McCain. Among the heavily Hispanic precincts of Cochise County, Rep. Kolbe carried 43% of the vote in 2004. Mr. Graff's share of the vote in those precincts shrank to 18%.

In Texas, former Republican Rep. Henry Bonilla, chairman of the powerful House Agriculture Appropriations subcommittee, was the paradigm of Republican Hispanic success -- until he voted for Rep. Sensenbrenner's "enforcement-only" bill. In the heavily Hispanic counties of Dimmit, Presidio, Val Verde, Maverick and Zavala, Mr. Bonilla's support dropped to 30% in 2006 from 59% in 2004. He lost the district to Democrat Ciro Rodriguez, 46%-54%.

In 2004, Republican Rep. J.D. Hayworth, the flamboyant incumbent of Arizona's Fifth District, defeated his Democratic rival 59%-38%. His 2006 book "By Any Means" described his conversion from advocacy of comprehensive immigration reform to a deportationist viewpoint. Campaigning on enforcement-only, Mr. Hayworth was defeated by his Democratic challenger, Tempe Mayor Harry Mitchell, 46%-50%. Mr. Hayworth's majority-white district provided a test of whether a deportationist platform would attract a strong backlash vote among non-Hispanic whites. It did not. In the Hispanic influenced, majority-white precincts of Maricopa County, Mr. Hayworth's vote share declined to 36% in 2006 from 48% in 2004.

In these three races, Republicans' vote share in heavily Latino precincts dropped 22 percentage points.

What does this mean nationwide? Republicans' presidential Hispanic vote share increased to 40% in 2004 from 21% in 1996. In 2004, Latinos comprised 6% of the electorate, but 8.1% of the voter-qualified citizenry. With the partisan margin shrinking, the incentive for major Hispanic registration efforts by either party was scant.

That changed in 2006, when the GOP's Hispanic vote share declined by 10%. And, as we have seen, the drop was twice as precipitous where Republicans disavowed comprehensive immigration reform. With the huge wedge in vote share that "enforcement-only" opened, the cost-effectiveness of voter-registration efforts improved dramatically -- for Democrats.

In recent years, Democratic Party operatives have conducted registration drives in urban communities that boosted African-American turnout to 65% from 23%. Republicans, should their national ticket adopt "enforcement-only," can expect Democrats to wage similar Hispanic campaigns in the most hotly contested political real estate of 2008. Such standard political operations will more than erase Republican majorities in New Mexico, Nevada, Colorado, Florida and Iowa, and may endanger the GOP electoral hold on Arizona as well.

That is the short-term fallout Republicans may suffer from "enforcement-only." But the election of 2008 marks the beginning of the political attrition, not its end. One-half of U.S. population growth this decade occurred among Latinos. Were the border hermetically sealed today, the children of Latino citizens will yet vote. Moreover, there are currently 3.1 million American-born minors with one or both parents who are illegal aliens. These young Americans share the same citizenship status as those seeking their parents' removal. It is folly to believe they will not remember who sought to deport their parents when they eventually go to the polls.

The pending catastrophe is not inevitable. Republicans have campaigned effectively among Hispanics on the basis of entrepreneurship, school choice, tax cuts and right-to-life. And, as the 2006 re-election of Republicans Heather Wilson and Steve Pearce of New Mexico and Jeff Flake of Arizona demonstrated, the GOP agenda can include national security as well. In 2006, Latinos helped re-elect candidates who advocated the border fence, electronic surveillance, expedited deportation of violent criminals, and biometric worker identification.

The next proposal for comprehensive immigration reform can contain all of this. To retain their Hispanic gains, Republicans need to repudiate only the immoral, uneconomical goal of mass deportation.

Mr. Nadler is the president of Americas Majority Foundation, a Midwest public-policy think tank.

Historical Revisionism on Immigration Issue

J.D. HAYWORTH

Wall Street Journal, *October 9, 2007*

You might think that Richard Nadler, president of America's Majority Foundation, might check his facts before writing an opinion piece for The Wall Street Journal, but if "[Immigration Losers](#)"¹ (editorial page, Oct. 2) is any indication, you would be wrong.

Indicative of Mr. Nadler's factual errors and intellectual sloppiness is his misidentification of the book I authored in 2006. He calls it "By Any Means"; the book is actually titled "Whatever It Takes." Benjamin Franklin famously noted that "you can't judge a book by its cover," but Mr. Nadler passes judgment on my book and its contents without seeing the cover, reading the text, or knowing the title!

He also engages in historical revision by omission. He conveniently overlooks the most recent rejection of an open borders agenda -- the dramatic grassroots reaction to the so-called Senate "grand bargain" that stopped the misguided amnesty ambitions of the elites on the left and the right -- opting instead to selectively interpret the results of three Republican congressional losses in the 2006 elections.

But any reputable analysis of the 2006 midterms must include recognition of the historical patterns that frequently accompany such elections. Political scientists and historians label it the "six-year itch" -- the loss of legislative seats occupied by members of the chief executive's party during the sixth year of a presidential administration.

Combine that historical pattern with the dwindling popularity of President Bush in 2006, and Mitt Romney's inverse sports analogy rings true: "Voters couldn't fire the coach, so they fired some of the players!"

In Arizona's Fifth District, my electoral defeat came not from my advocacy of "enforcement first," but from the voters' frustration that our immigration laws were not being enforced. My opponent successfully exploited that frustration, paying lip service to enforcement in his television ads with the poll tested phrase, "We must secure the border!"

In fact, my opponent tried to run to my right on illegal immigration. In another attack ad, he made the inaccurate charge that I voted for amnesty; he also claimed that he supported English as our official language, though he voted against official English in the Arizona State Senate.

There was a sound political reason for my opponent's English flip-flop: a popular 2006 ballot initiative for official English. Pre-election polling indicated widespread support for the initiative, and it passed overwhelmingly, 74% to 26%. Two other propositions, one restricting bail for illegals, and another restricting illegals' eligibility for public programs, also passed with majorities in excess of 70%.

What of the eight "Hispanic" precincts from Arizona's Fifth District that Mr. Nadler cites in his study? All three ballot propositions won there as well, again by large margins. So much for his central assertion that "Hispanic voters don't like 'get tough' politics on border enforcement."

Why would the president of America's Majority Foundation fail to mention these Arizona majorities on three measures that get tough with illegals? Simple. Those results are inconvenient facts that don't comport with his narrative or his underlying theme.

J.D. Hayworth

Member of Congress

1995-2007

Scottsdale, Ariz.

III. Response to JD Hayworth

RICHARD NADLER

Wall Street Journal, *October 13, 2007*

Like many conservatives, I have long admired Rep. Hayworth as an important, articulate advocate of many causes I hold dear. I am troubled that his fanaticism on the single subject of deportation has deprived the nation of his dependable votes for victory in Iraq, tax cuts, school choice, and the right-to-life.

To Rep. Hayworth's accusation that I misstated the title of his 2006 book, "Whatever It Takes," I plead guilty. But to his accusation that I did not read it, I must protest. In fact, I quoted page 11 of his tome in my study, "Border Wars," as a superb synthesis of deportationist goals and attitudes:

"The Wall Street Journal once scolded that lawmakers need 'to distinguish between immigrants who bus tables and those who hijack airplanes,' without giving any practical advice on how to make such a distinction. Here's the distinction I make: if the busboy is illegal, he should be deported. The hijacker should be executed."

Rep. Hayworth reports that his opponent in the 2006 election, Rep. Harry Mitchell, won by successfully "paying lip service to enforcement in his television ads with the poll tested phrase, 'We must secure the border.'"

It is a myth, perpetrated by Hayworth and others, that non-deportationist candidates oppose border security. Mitchell was specific in what he advocated, namely: more border patrol agents, more high-tech surveillance, more border fence, and more employer-accountability for documenting whom they hire. But he also advocated, quote, "a temporary worker program that allows us to keep track of who crosses our borders."

Regarding illegals, Mitchell posted the following on his campaign web-site: "Catching and deporting 11 million illegal immigrants, as some have suggested, is neither realistic nor wise. I believe we should give families an opportunity to gain legal status if they pay a penalty for breaking the law, pay their taxes, learn English, and hold a job for a period of years."

In the real world, this is known as "comprehensive immigration reform," not "lip service."

Rep. Hayworth claims that I ignored the fact that Arizona residents passed initiatives for English-only, no bail for illegal-alien criminals, and restrictions on non-citizen welfare benefits. But as my study repeatedly demonstrates, candidates of both parties win elections in the Southwest on platforms that include a variety of immigration restrictions and border security measures. Hayworth lost advocating not what he shared with other candidates, but what distinguished him: the goal of mass deportation.

Aside from Tom Tancredo, there has not been a single elected official more publicly associated with the deportationist point of view than J.D. Hayworth. I included an analysis of his district not because it was rich in Hispanic votes – it is not – but because if the widely-touted anti-illegal backlash of non-Hispanic whites were to materialize anywhere, Scottsdale and Tempe were prime candidates. Hayworth, who carried AZ 05 against his Democratic rival 59%-to-38% in 2004, lost by 46%-to-50% in 2006.

The negative reaction of Hispanics to a deportationist platform was swift and measureable. The "positive" response of non-Hispanic Whites was not.

Neither Rep. Hayworth, nor any of my other critics, have grasped the central point of my study: what the G.O.P. lost where it ran deportationist candidates can be measured in *actual votes cast by Hispanics*. Over a single election cycle, a shift of 3 or 4 percentage points within a major voting block is considered significant. The anti-deportationist backlash I measured among Hispanics of 20-plus points signals a major realignment, with potentially catastrophic consequences for the G.O.P.

Richard Nadler
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